

# CDCR

## *Layoff Resources for Peace Officer Classifications*

### Frequently Asked Questions

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## SENIORITY INFORMATION

### ***Seniority Scores***

Seniority scores form the basis for the layoff process and staffing reductions, including up-front mitigation, any voluntary transfer process, the involuntary transfer process, layoff, and reemployment.

### **Why do I have two scores – a Bargaining Unit (BU) 06 score and a Total State service and seniority score?**

Seniority is based on time served in R06 classifications, classifications identified as S06, and in Correctional Officer classes as defined by Section 830.5 of the Penal Code, regardless of when such service occurred. Each employee's personal history determines how much their total State service and seniority and BU 06 seniority will differ, if at all. Total State service and seniority can differ from BU 06 seniority for a number of reasons, such as:

- Supervisors are credited with total state service, regardless of whether it was earned in a BU 06 position or not.
- Individuals who have other qualifying experience (such as Exempt or Military) can be credited for it in their Total State Service seniority.
- Intermittent time is calculated differently for BU 06 employees after 4/1/99. Prior to that date, seniority point credit was based upon working 160 hours/pay period; after that date, 88 hours per pay period constitutes credit for a month. The hours in excess of 88 hours in a monthly pay period are not counted or accumulated.

**R06 contract provision:** (Correctional Officer, Youth Correctional Officer, Correctional Counselor I, Parole Agent I, etc.)

- Service in BU06 Classifications
- Service in classes defined by P.C. Section 830.5
- Qualifying Military Service

Note that this applies only to BU 06 employees who are currently rank and file

### **What is used to calculate seniority scores, and how are military credits calculated in seniority points?**

California Department of Corrections and Rehabilitation (CDCR) refers to the California Department of Human Resources (CalHR) for rules and BU Contract language for calculating seniority.

For the purpose of calculating official seniority scores for layoff purposes, an employee is awarded one (1) seniority point for each qualifying month of full-time State service. A pay

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period in which a full-time employee works eleven (11) or more days will be considered a qualifying pay period except that when an absence from State service resulting from a temporary or permanent separation for more than eleven (11) consecutive work days falls within two (2) consecutive pay periods, the second pay period shall be disqualified. For less than full-time employees assigned to BU 06, the Memorandum of Understanding (MOU) specifies seniority credit computation. Also, if information is provided and approved, the BU 06 seniority score will reflect points for qualifying prior military service.

### Qualifying Military Service:

- Military points: The criteria for the awarding of military points are defined by CalHR; please refer to the CalHR Layoff Manual Section 400. Certain campaigns and expeditionary missions qualify for State service credit, provided that other criteria are also met. A maximum of 12 seniority points are awarded to employees who qualify. Please note that qualifying military service is used only for layoff or placement purposes.
- Limited-term credits: For the purpose of calculating seniority scores, employees in a limited-term appointment:
  - Without prior permanent status, receive no seniority points for their months of service. However, if an employee is appointed to a permanent full-time position subsequent to the initial limited-term appointment with no break in service, the employee is given credit for the time worked as limited-term as long as the employee qualified for a seniority point based on the criteria as outlined above. Limited Term (LT) employees receive credit for qualifying military service upon attaining permanent status.
  - With prior permanent status, continue to receive state seniority points for their months of service.
- Permanent Intermittent credits for BU 06: Effective April 1, 1999, intermittent employees shall be awarded one (1) seniority point for each qualifying monthly pay period of state service. A pay period in which an intermittent employee works 88 or more hours will be considered a qualifying pay period for the purpose of accruing seniority. Any pay period in which an intermittent employee works less than the required hours will be considered a non-qualifying pay period, and such hours shall not be counted or accumulated.

Note: BU 06 intermittent hours worked prior to April 1, 1999 accrue at the rate of one seniority point for every 160 hours for BU06 employees.

### **Does my time served in an exempt classification count?**

Time served in an exempt classification does not count toward your BU 06 seniority. However, it may count toward your total State service and seniority score.

Certain verified positions working for the Legislature, judicial branch, state universities and colleges and the University of California may qualify for exempt credit. All work experience must be recognized and verified by the exempt institution for which the employee worked

before seniority scores can be modified. CDCR does not decide which kind of work qualifies. The determination of whether the position qualified and the number of points that should be awarded is made by CalHR. CalHR Rule 599.841, says only exempt service that can be *fully verified* from *official records* can count toward your total State service or seniority score.

**What specifically constitutes qualifying exempt service?**

- An exempt employee working under the Executive Branch of California government.
- An officer or employee of the Legislature, either house, or a legislative committee. “Officer or employee,” signifies any *permanent* employee of the California Legislature.
- An officer or employee of a council, commission, or public corporation in the Judicial Branch of California government.
- An employee of a court of record or another officer employed directly by the Judicial Branch of California government.
- An officer or employee of the University of California (UC) or California State University (CSU). The designation “officer or employee,” refers to anyone employed directly by either UC or CSU, with the following exceptions: UC student employees who work less than one-half time are not included, nor are CSU student employees (regardless of time base). Also, CalHR does not count CSU employees who were “special pay” appointments.
- A teacher or member of the teaching staff in a school under the jurisdiction of the Department of Education or the Superintendent of Public Instruction (in other words, you were employed by one of California's six State Special Schools).
- A member of the National Guard engaged in military service while employed by the California Department of the Military.
- An officer or employee of a District Agricultural Association, if employed less than six months in a calendar year.

**How will the preliminary seniority list by county be made available to all staff prior to the layoffs?**

Preliminary and Final Scores are posted on the Intranet and at various locations throughout your institution, facility and/or program (i.e. Personnel Office, Main Entrance, Sally Ports, etc.).

### **What if my score is tied with someone else who is impacted?**

In the event you share the same seniority score with another individual in your classification and area of layoff, a tie breaker is utilized in accordance with the BU 06 MOU. Links to MOUs can be found at <http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx>. Bargaining Unit Contracts can also be found at <https://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx>. The CalHR Layoff Manual can be found at <http://www.calhr.ca.gov/state-hr-professionals/Pages/layoff-manual.aspx>.

For R06 employees, the tie breakers are used in the following order as outlined in the BU 06 MOU, Section 12.01(5):

- 1) Employee's initial hire date to a BU 06 classification
- 2) If tie holds the employee whose Social Security number has:
  - a. Lowest last four digits
  - b. Lowest middle two digits
  - c. Lowest first three digits

#### *Example of lowest # having most seniority*

Gonzalez	1131	Most senior
Davis	2713	
Jones	3791	
Smith	9732	Least senior

### **What seniority score is needed to avoid layoff?**

Until the reductions and their effects are known, there is no specific number of years or seniority score that can be identified to determine if an individual will ultimately be impacted. The specific methodology for determining the reductions is unique to each layoff plan.

### ***Discrepancies***

#### **What do I do if I notice a discrepancy with my BU 06 or total State service and seniority score?**

Upon receiving your preliminary seniority scores, you will be afforded the opportunity to dispute your BU 06 or total State service and seniority scores. Employees typically have a 30-day challenge period in which to file a Seniority Score Notification and Discrepancy form.

#### **If I submit a discrepancy form outside of the challenge period, what happens?**

If a discrepancy form is received after the challenge period deadline, the discrepancy will be processed; however, if an employee is impacted by the current wave, the updated score will not be utilized since the discrepancy was filed outside of the allotted timeframe.

**Once I submit my State Service Discrepancy Form to the Workforce Consolidation & Reduction Support Unit (WCRS), how will I know it was received and when will I receive my results?**

Employees will receive written notification of the status of their discrepancy form once the review has been completed. Discrepancy forms submitted for current layoff plans will be reviewed and processed on a priority basis. However, late discrepancy forms or all other discrepancy forms not related to the current layoff plan will be reviewed on a flow basis.

**MOVEMENT OUTSIDE OF THE LAYOFF PROCESS**

***Mitigation***

**What is Mitigation?**

Mitigation is a process that is used prior to layoff to minimize or eliminate the staffing reductions for impacted classifications within the area of layoff. Vacancies within a 50-mile radius of the area of layoff are identified. If there is a sufficient number of vacancies to absorb the number of impacted staff for the specific classification, impacted staff in that classification are redirected to these vacancies. The redirections may reduce the number of impacted staff within the classification or may remove that specific classification from the impacted listing.

**Can I be transferred outside of my current county?**

Yes. Based on the current vacancies and current work location, employees may be transferred up to 50 miles from the current institution. This could result in a transfer to a different county.

***Transfers***

**Can I voluntarily transfer to vacancies outside the 50-mile radius? Can I transfer to a different classification?**

Yes, as long as all other laws and rules allow the transfer. You must meet the Minimum Qualifications (MQs) of the “to” class in order to laterally transfer.

The new class must be substantially the same in duties, responsibilities, and salary (not to exceed +9.9%) from the highest permanent or probationary appointment you received through the examination or equivalent process. However, the transfer must be to a different class series:

- Duties/Responsibilities = entry level to entry level **or** journey level to journey level, **or** supervisory level to supervisory level, etc.

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- Salary = we use the employee's maximum salary rate of his or her status (permanent or probationary) class and multiply it by 5% (round) and multiply the rounded rate by 5% (round) and subtract a dollar to arrive at the maximum salary to which an employee can transfer.
- You must meet the MQs of the class to which you wish to transfer.

Please check with your Institutional Personnel Officer or the Office of Personnel Services if you have any additional questions.

### **Can an employee in an R06 position transfer to a S06 position?**

No. Under State Personnel Board (SPB) Rule 430, employees cannot transfer from a rank and file classification to a supervisory classification, or from a supervisory to a managerial classification as the move represents a change in level of responsibility and corresponding duties, requiring examination. Additionally, in some cases the salary is +10% or more between the two classes. Under SPB Rules 250 and 429, you may transfer from one job class to another without examination if you meet the MQs of the class to which you wish to transfer, the levels of duties, responsibility, and salary of the two classes are substantially the same and the two classes do not have a supervisory/subordinate relationship.

An employee can reinstate to a class in which they previously held permanent or probationary status in unless the employee was rejected on probation or punitively demoted from that class in the past. In this case, the employee would have to be rehired to the classification through the examination process.

## **LAYOFF**

Based on an employee's classification, work location, and seniority score, an individual may be subject to layoff during times of workforce reductions. Typically, impacted staff will be identified based on a 3-to-1 ratio. For example, if the department is reducing five (5) positions in a classification, in an identified area, that 15 staff will be impacted. This process ensures all employees who may be affected by the layoff are afforded the maximum opportunity to retain State employment by redirection, a voluntary transfer process or as part of the State Restriction of Appointments (SROA) and placement processes.

### ***General***

#### **Do all vacant positions have to be filled before a layoff can start?**

No, vacancies are utilized to mitigate the need for layoff through voluntary transfer/demotion and involuntary placement processes.

#### **If laid off, are employees eligible to collect unemployment, and if so, for how long?**

The Employment Development Department determines eligibility for unemployment benefits. Contact information can be accessed at their web site, <http://www.edd.ca.gov/>.

### ***State Restriction of Appointment (SROA)***

Once CalHR approves the layoff plan, CDCR will move forward with the mailing of the SROA/Surplus notification informing impacted employees that they are being placed on the departmental layoff plan for that area of layoff, classification and seniority score. Furthermore, employees will be advised that they are being placed on SROA for 120 calendar days.

The approach taken in identifying impacted staff may vary for each plan for reasons including the numbers of impacted staff and the size of the downsizing organization. Generally, for each class designated as surplus, three (3) employees per at-risk position will be placed on SROA and surplus status, but the ratio can be greater. Exceptions to the ratio method may be made with CalHR approval. The calculation of total State service and seniority scores is used for ensuring the appropriate number of lower-seniority employees receive SROA/Surplus status.

#### **What is the SROA program?**

The SROA Program was developed to assist surplus employees in finding jobs with other State agencies and to help State service by making experienced employees available to other agencies with vacant positions. SROA notices will be issued to all potentially impacted employees.



Placement on SROA is limited by CalHR Rule 599.854.1 to those employees who may actually be subject to layoff or demotion in lieu of layoff. SROA eligibility is granted for 120 calendar days.

### **How does SROA work?**

An employee is normally placed on the SROA list for the classification in which they are impacted. Typically, up to three employees per position being abolished are approved for SROA. They are generally the three (3) least-senior permanent employees in the class. Appointments to classes on these lists are restricted (e.g., new hires, voluntary demotions, permissive reinstatements, and training and development assignments). Hiring programs can opt out of a certification list to make an appointment. However, if a certification list is used, the SROA list of surplus employees must be used and cleared before an appointing power may use other means of filling a vacant position for the restricted class.

### **What is the difference between SROA and Surplus Status?**

Once CDCR determines which classifications are impacted within the area of layoff, CalHR designates that classification as Surplus within an area of layoff. Classifications are designated as Surplus when a department has more employees in that classification and area of layoff than it has vacancies. Surplus designation is the first step in obtaining SROA status for affected employees.

At the same time that a *classification* is designated as Surplus, the impacted individuals in that classification receive an SROA designation. The SROA process provides an alternative to layoff as it restricts the methods of appointment available to appointing powers to give employees in jeopardy of layoff an opportunity to retain State employment.

### **What benefit do I receive by being on SROA/Surplus status?**

SROA status gives employees hiring preference. If you are placed on SROA/Surplus status, you are encouraged to apply for any position for which you meet the minimum qualifications, experience, and have transfer eligibility.

### **What should I do now that I have received my SROA notice?**

It is **imperative** that you maintain a copy of your SROA notice as you may be asked to produce a copy of it by some hiring agencies (you may even opt to include it in your state application package). Due to the number of SROA notices mailed out by the Department, WCRS will not supply replacement copies.

Staff are encouraged to apply for all jobs for which they feel qualified. You may utilize the Vacancy Search page on the CalHR website (<http://www.jobs.ca.gov/>) to help find vacancies. Although you will receive some job interest notices from hiring agencies, do not rely solely on those notices. It's always best to do your own job search, in addition to responding to contacts you may receive from other sources.

To ensure you receive job inquiries, it is critical that you keep your address of record up to date. If your address and/or phone number are not correct, submit an Employee Action Request (STD. 686) and Emergency Notification Information (CDCR 894) to your Personnel Office right away.

**I am working in a classification that is used only by the Department of Corrections and Rehabilitation. Therefore, what benefit is there to be on SROA/Surplus status?**

Employees who are in classifications that are considered Department Specific may use their Surplus status to apply for positions to which they can lateral transfer under the SPB Transfer Rules.

**If I receive a contact letter as the result of my SROA status, do I need to respond to the hiring authority?**

If you are not interested in a job, you are no longer required to return a contact letter. Employees on a SROA list have unlimited waivers.

**If I have SROA/Surplus will I have to use my own time for interviews?**

No. SROA employees should be given “reasonable time off” to go on interviews. Refer to the appropriate Memorandum of Understanding for represented employees. Non-represented employees can refer to Government Code (GC) Section 19991, which allows employees on employment lists to participate in employment interviews during working hours.

**I have submitted my SROA notice and application for an opening at another department. Are they required to interview or hire me?**

No, the hiring authority is not required to interview you or hire you. There are exemptions to the SROA hiring policy as outlined in the SROA Manual, which is found at <http://www.calhr.ca.gov/employees/Pages/state-restriction-of-appointments.aspx>.

**Why did I receive an SROA/Surplus letter when the person I work with has less seniority than I, and he/she did not receive a letter?**

Each individual’s employment history is used to calculate seniority, and there are numerous factors that are taken into consideration when calculating seniority scores. For example, an individual may have qualifying military points and/or exempt time that has been applied to his or her seniority score.

## ***Placement***

### **If layoffs are conducted by county, can a person in one county lose his job while a person with lower seniority in another county keeps his or hers?**

Yes, that is possible. Given that layoffs are based on the classification and seniority within the area of layoff, it is possible that some employees with lower seniority scores may remain employed in areas outside of the area of layoff.

### **What options do employees get on their layoff Options Worksheet?**

Vacancies are offered in any classification in your primary and/or personal demotional pattern in which you served in a permanent or probationary status.

- **Primary Demotional Pattern:** Includes classifications that are in a specific classification's demotional pattern. This is typically within the series of the impacted classification. For example, a Correctional Lieutenant can demote to a Correctional Sergeant, then demote to a Correctional Officer. This is the classification in which you held your most recent permanent appointment. The only circumstance where this classification would differ from the classification you are currently serving in is when you are currently serving in a temporary capacity, i.e. LT, Training and Development assignment, or an acting assignment.
- **A Personal Demotional Pattern:** Includes classifications which an individual has held on a permanent basis in State service and that are currently utilized in the impacted area of layoff by CDCR. This will exclude classifications that are specific to another State agency.

Bumping options are available only within your county (the area of layoff).

- For individuals with current or prior permanent status: Your Option Packet will identify all available placement options specific to your employment history. This includes permanent vacancies, as well as *permanent positions* filled by limited-term, training and development assignments or Retired Annuitants as these are also considered vacancies for the purpose of placement. You also will be provided the opportunity to bump within the area of layoff provided there are no vacancies for your impacted classification **AND** your seniority allows you to do so. You will not have the ability to elect the position into which you will bump, as it is based on seniority and you will be awarded the position held by the least-senior staff in the classification within the area of layoff.
- If you have prior permanent State civil service status but are currently serving in a limited-term appointment: If you are impacted, it will be in your permanent right-of-return position/classification/county providing there was no break in service. For example, you currently work in Sacramento County in a limited-term Correctional Counselor II (Specialist) position with a right of return to a permanent full-time

Correctional Counselor I position in San Joaquin County. If you are impacted on a plan, you will be impacted in the Correctional Counselor I position in San Joaquin County, as this is your permanent right-of-return position.

- For individuals with no current or prior permanent status: For individuals who are currently in limited-term positions with no right-of-return position within CDCR, your limited-term appointment will be terminated in the event the position is needed for placement, and you will return to your previous State department. For individuals with no prior permanent status to a State agency, your limited-term appointment will be terminated and your employment with CDCR will conclude.

**Will vacancies in the prisons, with the Receiver or other State agencies be offered to staff?**

CDCR does not have the ability to offer vacancies within other State agencies, including the California Correctional Health Care Services (CCHCS).

**Note:** An impacted employee can utilize SROA/surplus status to apply for vacancies in other State departments and agencies either in his or her current classification or those for which he or she meets the minimum qualifications.

**Can a Peace Officer who is currently mobilized on military orders lose his or her job? If so, what options does he or she have?**

An employee on military assignment remains part of the layoff process and, as such, receives all notices and correspondences that other impacted employees receive. Those notices are sent to the address of record. Impacted employees are encouraged to keep a current address of record and phone number on file. Dependent upon the seniority score, it is possible that an impacted employee on military assignment could be laid off. However, please note that, as stated previously, employees receive information about options they may have for other viable placement as the layoff process progresses. If you are away from home, it may be beneficial to have a system in place so that mail from CDCR is identified quickly and its contents made known to you. You can e-mail WCRS with questions: CDCRHRWCRSHelpDesk@cdcr.ca.gov.

**Will Youth Correctional Officers have to attend a correctional officer academy if placed as a Correctional Officer?**

Yes. They will be required to attend a transitional academy at the Richard A. McGee Correctional Training Center in Galt prior to assuming their duties as an officer. Detailed information regarding the academy will be provided at a future date.

**When will I know for certain that I will be laid off or placed?**

Impacted employees will receive official notice at least 30 days prior to their layoff date or their report date, whichever is applicable.

**What if I don't return my Employment Options Worksheet? Could I be demoted, redirected, or laid off?**

WCRS will facilitate placement in accordance with the employee's BU Contract. All placements are binding and irrevocable. If placement is not possible, the employee will be laid off.

**I demoted during a prior layoff. Why aren't vacancies in my old classification offered to me on my options worksheet?**

In accordance to GC Section 19140, an employee cannot be placed in a classification for which they have reemployment rights. However, if there are vacancies in the classification in question, employees may apply for the position as a reemployment candidate.

**I was previously a manager but demoted. Why aren't manager vacancies showing up for me on my Options Worksheet?**

Appointments cannot be made into a classification that would result in a promotion. Employees can have options to classifications in which they have held previous permanent or probationary status on their options worksheet if the classification is within transfer range of their impacted classification. Transfer rules are outlined by CalHR and require that the position be within 9.9% of the maximum salary for the current classification in which the individual is impacted. If the movement would meet the necessary transfer rules, an employee may have rights to it during the layoff process.

***Bumping***

When completing the Employment Options Worksheet, impacted employees will be given the opportunity to select bumping within the area of layoff if their senior score permits. **Bumping can occur only within your area of layoff, when there are no vacancies or if all vacancies have been awarded within a specific classification.** If you elect to bump prior to selecting a vacancy within a classification/time base, and the vacancy exists at the time of placement, you will not be afforded the opportunity to bump and you may be placed into the available vacancy.

An impacted employee may only elect to bump in their impacted classification and all classifications identified in the primary and personal demotional patterns that they have held on a permanent basis. If an impacted employee is interested in bumping, they must complete the boxes identified for bumping by priority on their Employment Options Worksheet. Employees will be given the opportunity to select whether they want to bump into a full-time or part-time position and prioritize accordingly. However, employees do not get to select to bump into a specific position. Instead, they are electing to bump the least-

senior impacted employee in that classification within the area of layoff, in accordance with their selection.

**Please explain why staff have bumping rights only within an area of layoff.**

Rules dictating layoffs are established by CalHR. These rules require that layoffs are based on classification and seniority within the area of layoff, with bumping allowed only *within* that area of layoff and only when no vacancies exist in the subject classification. If the area of layoff is a county, bumping is allowed only within that county. You can find the CalHR rules at <https://www.calhr.ca.gov/state-hr-professionals/Pages/layoff-manual.aspx>.

**Can a person be bumped from a permanent appointment?**

Yes. If an impacted employee with more seniority elects on their Options Worksheet a classification in which there are no vacancies, the employee may bump the least senior employee in that specific classification within the area of layoff, provided the employee with higher seniority is currently in the classification or the classification is in the employee's personal or primary demotional pattern.

***Benefits***

**What will happen to my benefits if I am laid off?**

Employees who are laid off lose eligibility for their current health, dental, and vision coverage the first of the month following the layoff date. For example, since benefits are paid a month in advance, most employees laid off effective September 30, 2021 would lose benefits effective November 1, 2021. However, employees and their dependents currently enrolled in health, dental, or vision benefits prior to layoff will be eligible to continue their benefits for up to 18 months through Consolidated Omnibus Budget Reconciliation Act (COBRA) coverage.

Employees should contact their local Personnel Office or benefits specialist to discuss the impact to their benefit options.

***Leave Usage Prior to Layoff***

**If an employee receives an SROA letter and accepts and begins employment outside of State service as a result of the SROA status, will he/she be paid for accrued Furlough Holiday (FH), and Personal Leave Program (PLP) hours?**

Yes. Per CalHR rules, anytime the employee is **NOT** able to use FH or PLP, hours, CDCR has authority to pay unused FH and PLP. (Per CalHR, ONLY BU 06 employees can be paid out for Personal Development Days.) Please note that Hiring Authorities should continue to allow the employees to use FH, PLP, when permissible.

**Can a supervisor force impacted employees to use the remainder of their FH, PDD, and PLP days in anticipation of being laid off?**

Impacted employees will receive a 30-day notice prior to layoff. Supervisors will work with the employees to use their time during this 30-day timeframe.

***Reemployment***

**What is reemployment?**

Reemployment is a program designed to give employees preferential-hire status back into the classification from which they were laid off or demoted.

An employee who is laid off, elects to demote in lieu of lay off, or has a change in time base as a result of placement during a layoff, may be placed on the appropriate reemployment lists for the classification from which the employee was affected. In addition, appropriate reemployment list eligibility may be provided for all classes through which the employee was given demotional rights during layoff, if applicable. Employees appear in seniority order on all reemployment lists.

Employees will remain on the reemployment list for five (5) years or until hired into a permanent position from the reemployment certification list. An employee's name stays on the reemployment list until rehired into a permanent full-time position in the eligible classification or until requesting in writing that his or her name be removed from the reemployment list.

**Are there exceptions to Reemployment?**

If a certification list is being used to make a hire, there are no exceptions to reemployment. However, hiring programs have the option not to use a certification list to make a hire. If the choice is made not to use a certification list (e.g., same classification lateral transfer, reinstatement, etc.) then reemployment does not need to be cleared.

**Prior to the layoff date, I used my SROA status to secure employment before I was laid off. Do I still get reemployment?**

Employees who receive a SROA notice are encouraged to apply for positions for which they are qualified. However, securing employment prior to demotion, redirection, or layoff removes the employee from the process, thereby making them ineligible to receive reemployment.

**What is the difference between Departmental Reemployment and General Reemployment?**

Departmental Reemployment represents CDCR employees impacted by placement and/or layoff. This type of list takes precedence over all other lists. The first interested individual on the list must be selected (Rule of One Name). This means that if the hiring organization is using a promotional list to make a hire, the hiring program cannot move to the next name or any other list until the interested eligible is hired or the person waives (i.e., is not interested in the position).

General Reemployment represents non-CDCR employees who have been impacted by placement and/or layoff. The three highest names on the list shall be certified for employment (Rule of Three Names). If those on the list of interested eligible names are all on General Reemployment, the hiring program may choose anyone of the three. If there are two interested names on a General Reemployment list, a hiring program can move down to the next rank on their list to make a hire.

**Will an employee on the reemployment list have rehire opportunities only in their region or statewide?**

Initially, an employee is put on a reemployment list with a location code of the county where they were laid off, but a statewide location code may be chosen later.

**Does Reemployment have to be cleared before an organization can place an employee on an out-of-class assignment?**

Out-of-class assignments should be utilized only while organizations are attempting to fill a position through the normal hiring process. The hiring organization does not have to clear reemployment for an out-class-assignment; however, it will have to clear reemployment later when making a permanent full-time or limited-term hire if a certification listing has been ordered.

**Are reemployment eligible employees to be hired on a limited-term or permanent basis?**

Reemployment eligible employees may be hired LT if the classification will be affected in an upcoming layoff plan. It should be noted that if a reemployment eligible is hired LT, he or she remains on the reemployment list to be eligible to be hired PFT.



**If a Departmental reemployment eligible is interested in a position that is LT only, can an organization hire him or her LT?**

Yes, provided the hiring authority wants to proceed. Eligible employees must make the decision as to whether to accept such an appointment. In this case the Departmental Reemployment eligible would remain on the list for further contacts for both LT and permanent full time.

**Is a new certification list required if a program needs to extend an existing 12-month limited-term appointment for an additional 12 months, and must Reemployment be cleared?**

A new certification list is not required for purposes of extending the 12-month limited-term appointment. However, if Departmental reemployment is applicable, the names must be contacted and cleared to accompany the Request for Personnel Action to extend the existing 12-month LT appointment.